**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>Application Number</b>		10/000,439
<b>Filing Date</b>		October 24, 2001
<b>First Named Inventor</b>		Andrew SAXON et al.
<b>Group/Art Unit</b>		1644
<b>Examiner Name</b>		Phuong N. HUYNH
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> 39754-0674A

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) (UNSIGNED) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement with (PTO-1449) <input type="checkbox"/> Declaration on Incorporation by Reference, including copy of Provisional Application 60/097,141 <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW): <input checked="" type="checkbox"/> 40 References Submitted and a Stamped Return Receipt Postcard
<b>Remarks</b> AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39754-0674A		

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

<b>Firm or Individual name</b>	<b>HELLER EHRMAN LLP</b> 275 Middlefield Road, Menlo Park, California 94025	<b>LESLIE A. MOOI, Reg. No.: 37,047</b> Telephone: (650) 324-7000 Facsimile: (650) 324-0638
<b>Signature</b>		
<b>Date</b>	April 14, 2005	<b>Customer Number:</b> 25213

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: April 14, 2005			
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<b>Typed or printed name</b>	Rachel Mena		
<b>Signature</b>		<b>Date</b>	April 14, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Huynh, Phuong N.  
)  
ANDREW SAXON et al. ) Art Unit: 1644  
)  
Application Serial No. 10/000,439 ) Attorney's Docket No. 39754-0674A  
)  
Filed: October 24, 2001 ) Customer No. 25213  
)  
For: FUSION MOLECULES AND )  
METHODS FOR TREATMENT OF )  
IMMUNE DISEASE )

EXPRESS MAIL LABEL NO.: EV 582 629 173 US  
DATE MAILED: April 14, 2005

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.97**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Form Supplemental PTO-1449 is enclosed and the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --  
☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --  
☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --



- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☒ a fee of **\$180.00** as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of **\$180.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39754-0674A)**.

Respectfully submitted,

By: Leslie Mooi  
Leslie Mooi (Reg. No. 37,047)

Dated: April 14, 2005

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SV 2113550 v1



Form PTO-1449 <b>INFORMATION DISCLOSURE STATEMENT</b> <i>(use several sheets if necessary)</i>	Attorney's Docket No. 39754-0674A	Application Serial No. 10/000,439
	Applicant(s) ANDREW SAXON, et al.	
	Filing Date: October 24, 2001	Group Art Unit: 1644

**U.S. PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)
	1.	10-07-2004	US 2004/0198961A1	An et al.	530	391.1	
	2.	03-13-2003	US 2003/0049237A1	Bannon et al.	424	93.21	
	3.	12-20-2001	US 20010053770A1	Thomas et al.	514	44	
	4.	04-24-2003	US 2003/0077282 A1	Bigler et al.	424	144.1	
	5.	03-28-2000	6,043,345	Saxon et al.	530	387.1	
	6.	10-08-1996	5,563,250	Hylarides et al.	536	4.1	
	7.	10-27-1998	5,827,516	Urban et al.	424	93.2	
	8.	09-22-1998	5,811,265	Quertermous et al.	435	69.3	
	9.	07-25-2000	6,093,699	Sehon et al.	514	44	
	10.	10-12-1999	5,965,605	Cheng et al.	514	454	
	11.	05-21-1991	5,017, 693	Hylarides et al.	530	390	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
							YES	NO
	12.	12-27-2002	WO 02/102320 A2	PCT	A61K			
	13.	12-27-2002	WO 2002/102320 A3	PCT	C12N	15/00		
	14.	05-02-1996	WO 96/12740	PCT	C07K	16/100		
	15.	10-05-1995	WO 95/26365	PCT	C07K	19/00		

**OTHER DOCUMENTS**

*(including author, title, date, pertinent pages, etc.)*

Examiner Initials	Ref. No.	Title
	16.	Abdelilah, S. G. et al., "Molecular characterization of the low-affinity IgE receptor FcεRII/CD23 expressed by human eosinophils, International Immunology, Vol. 10, No. 4, pp 395-404, April 1998.
	17..	Abramson, M. J., et al., "Allergen immunotherapy for asthma", The Cochrane Library, Issue 1, pp. 1-32, 1999.
	18.	Akdis, C. A., et al., "Epitope-specific T Cell Tolerance to Phospholipase A <sub>2</sub> in Bee Venom Immunotherapy and Recovery by IL-2 and IL-15 In Vitro", Journal of Clinical Investigation, Vol. 98, No. 7, pp. 1676-1683, October 1996.
	19.	Brazis, P., et al., "Stem cell factor enhances IgE-mediated histamine and TNF-α release from dispersed canine cutaneous mast cells", Veterinary Immunology and Immunopathology, Vol. 75, pp. 97-108, 2000.
	20.	Campbell, K. A., et al., "Co-crosslinking FcεRII/CD23 and B cell surface immunoglobulin modulates B cell activation", Eur. J. Immunol., Vol. 22, pp. 2107-2112, 1992.
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	23.	Guo, C. B., et al., "Identification of IgE-bearing Cells in the Late-phase Response to Antigen in the Lung as Basophils", American J. Respir. Cell Mol. Biol., Vol. 10, No. 4, pp 384-90,1994.
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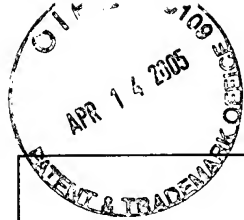
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\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).

SV 2113550 v1



Form PTO-1449		Attorney's Docket No. 39754-0674A	Application Serial No. 10/000,439
INFORMATION DISCLOSURE STATEMENT		Applicant(s) ANDREW SAXON, et al.	
(use several sheets if necessary)		Filing Date: October 24, 2001	Group Art Unit: 1644
25.	Hulett, M. D., et al., "Fine Structure Analysis of Interaction of FcεRI with IgE", The Journal of Biological Chemistry, Vol. 274, No. 19, pp. 13345-13352, 1999.		
26.	Kawabori, S., et al., "Existence of c-kit Receptor-Positive, Tryptase-Negative, IgE-Negative Cells in Human Allergic Nasal Mucosa: A Candidate for Mast Cell Progenitor", International Archives of Allergy and Immunology, Vol. 112, pp. 36-43, 1997.		
27.	Kepley, C., et al., "Purification of human basophils by density and size alone", Journal of Immunological Methods, Vol. 175, pp. 1-9, 1994.		
28.	Kepley, C., et al., "Identification and Partial Characterization of a Unique Marker for Human Basophils", The Journal of Immunology, Vol. 154, pp. 6548-6555, 1995.		
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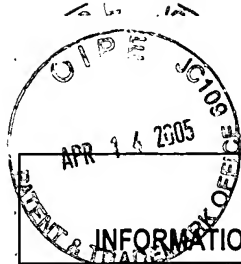
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46.	Suter, U., et al., "Expression of Human Lymphocyte IgE Receptor (Fc $\epsilon$ RII/CD23)", The Journal of Immunology, Vol. 143, No. 9, pp. 3087-3092, November 1, 1989.		
47.	Wang, M., et al., "Early IL-4 Production Driving Th2 Differentiation in a Human <i>in Vivo</i> Allergic Model Is Mast Cell Derived", Clinical Immunology, Vol. 90, No. 1, pp. 47-54, 1999.		
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51.	van Rossenberg, S. M. W., et al., "A Structure-Function Study of Ligand Recognition by CD22 $\beta$ ", The Journal of Biological Chemistry, Vol. 276, No. 16, pp. 12967-12973, 2001.		

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